

REVEREND ROBERT O'KEEFFE.

RETURN to an Order of the Honourable The House of Commons,
dated 17 July 1876;—for,

COPY "of CORRESPONDENCE between the Local Government Board in
Ireland and the Reverend *Robert O'Keeffe*, relating to the Dismissal of
Mr. *O'Keeffe* from the CHAPLAINCY of the CALLAN UNION WORK-
HOUSE."

Local Government Board, Dublin, }
5 August 1876.

B. B A N K S,
Secretary.

(*Mr. Whalley.*)

Ordered, by The House of Commons, to be Printed,
10 August 1876.

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COPY of CORRESPONDENCE between the Local Government Board in *Ireland* and the Reverend *Robert O'Keeffe*, relating to the Dismissal of Mr. *O'Keeffe* from the CHAPLAINCY of the CALLAN UNION WORKHOUSE.

— No. 1. —

COPY of a printed DOCUMENT handed to the Poor Law Commissioners by the Very Rev. Dr. *McDonnell*, v.c., Ossory, with an intimation that he presented it by desire of His Eminence the Cardinal Archbishop, with a view of drawing the attention of the Commissioners to the anomalous fact that the Rev. *Robert O'Keeffe*, though suspended from the performance of clerical duty in the Parish of Callan, remains Roman Catholic Chaplain of the Workhouse.

DOCUMENTS connected with the Parish of Callan.

COPY of Suspension sent to the Rev. *Robert O'Keeffe*.

CUM SMAS. DNUS. noster Pius PP. IX., qui omnium ecclesiarum curam et sollicitudinem gerit, necessarias et opportunas facultates nobis tribuere dignatus sit, ut de querelis et accusationibus quæ adversus te circumferantur, inquirere et sententiam proferre possemus, auctoritate ita nobis collata innixi, causam tuam diligenter examinare non omisimus. Etenim omnia quæ in pluribus nobis datis epistolis scripto consignavisti, quæque aliunde per fumam publicam nota erant, accurate perpendimus, ac postea teipsum omnia argumenta quæ ad tuam causam tuendam adferri poterant, libere urgentem die 27 Octobris proximæ elapsi, in nostris sedibus, præsentem Rdo. Dno. Laurentio Forde, uno ex nostris vicariis generalibus, atque iterum sequente die 28 Octobris eodem breviter recensentem, audivimus: defensiones etiam tuas et responsiones quas adversariis dandas existimasti scripto consignatas a te accepimus, earumque rationem habuimus.

Rebus ita comparatis, te vocavimus ut die 8^o Novembris coram nobis te sisteres ut ad finem causam tuam de qua agimus, perduceremus, ac de ea sententiam proferremus; verum voci nostræ aures præbere noluisti. Postea diem alterum nempe 13 hujus ejusdem Novembris tibi præfiximus ut ad audiendum sententiam nos convenires, et causa tua denno dirimeretur; iterum vero, licet optime tibi compertum esset nos auctoritate apostolica S. Pontificis Pii IX. agere, obtemperare noluisti.

Jam vero cum citationibus istis obedire renueris, nobisque significaveris per litteras statutum in animo tibi esse ad nos non venire, neque coram nobis amplius te velle sistere, id tantum nobis supererat ut in te absentem et contumacem sententiam proferremus, ne ecclesiastica disciplina impune nihili haberetur.

Quare precibus ad Deum fuis, et invocato Sma. Trinitatis auxilio, habita ratione rerum omnium quæ a teipso audivimus vel a te conscriptas legimus, necnon perpensis argumentis quæ ad te defendendum nobis subieceris, in nomine Patris et Filii et Spiritus Sancti te, Robertum O'Keeffe parochum oppidi cui nomen Callan ab omni jurisdictione spirituali, a sacramentorum administratione et præsertim ab audiendis confessionibus, a sacrosancto Missæ sacrificio celebrando, a verbo Dei prædicando et ab omni officio ecclesiastico, auctoritate nobis a S. Petri antecessore collata aspendimus et suspensionem declaramus, donec respueris et plenam nostro iudicio satisfactionem ecclesie exhibueris. Insuper hujus decreti tenore, omni beneficio ecclesiastico aut ab ecclesia tibi collato, et omni dignitate aut personatu eadem ratione tibi collato, auctoritate eadem te privamus atque declaramus privatum.

Cæterum salutis animæ tuæ, quæ tot periculis obnoxia est providere optantes, Deum enixe rogamus ut ad bonas fruges te misericorditer perducatur: teque ipsum per viscera misericordie Dni. N. Jezu Christi qui propter nos homines et propter nostram salutem crucis mortem subiit, obsecramus et obtestamur ut veteri homine secundum præteritam conversationem deposito, novum induas hominem qui secundum Deum creatus est in justitia et sanctitate veritatis.

Datum Dublini die decimo tertio Novemb. 1871.

✠ Paulus Card. Cullen,
&c.

The following letter was sent, with the foregoing form of suspension, to the parochial clergy of Callan:—

OUR venerable and beloved Pontiff, Pius IX., though a prisoner in the hands of his enemies, and oppressed by the weight of years and afflictions, is not forgetful of the spiritual interests of his children even in the remotest parts of the earth, and is ever watchful to preserve them from the snares of the enemy of their immortal souls, who goes about like a lion seeking whom he may devour. Hence, having received complaints against the Rev. Robert O'Keefe, pastor of Callan, and having learned that the course of things in that parish was calculated to offend the piety of the faithful, to diminish the respect and obedience due to episcopal authority, and to lessen the force of ecclesiastical discipline, his Holiness, in his paternal solicitude for the welfare of every portion of the fold of Christ, has thought fit to appoint me to act as his Apostolic Delegate in this case, with power to apply proper remedies to existing evils, and to make religious provision for the pious inhabitants of Callan.

In order to accomplish the task imposed upon me, I considered it my duty to enter into correspondence with the Rev. Robert O'Keefe, to hear him defending in person his own case, and to afford him every opportunity of justifying himself in the eyes of the Church. I must add that he supplied me with written or printed documents in which the arguments in his defence were fully developed.

Having thus acquired a full knowledge of the case, I called on the Rev. Robert O'Keefe to present himself to me on the 8th of the present month to bear the final settlement of the matters at issue, but he refused to attend. Again I called on him to present himself for the same purpose on the 13th of this same month, but he did not attend, and before that day had arrived he informed me by letter that he declined attending, though he knew that I was acting with the authority of the supreme head of the Catholic Church.

Having thus, according to canon law, rendered himself contumacious, I was compelled, much against my inclinations, to adopt severe measures, and to suspend the Rev. Robert O'Keefe in his absence. The decrees which I enclose, and of which I forwarded a copy to him, will show you in what terms, and to what extent, he has been suspended. Having poured forth prayers to God, and invoked the aid of the Holy Trinity, having weighed impartially all the arguments adduced by word of mouth, or in writing, in his defence, I, acting as delegate of the Apostolic See, suspended, and declared suspended, in the name of the Father and of the Son and of the Holy Ghost, the said Rev. Robert O'Keefe, from all spiritual jurisdiction, from hearing confessions, saying Mass, administering sacraments, and preaching, until he shall repent and make ample satisfaction to the Church; I also deprived him of every ecclesiastical benefice or dignity conferred on him by the Church.

This decree was drawn up, read, and published on the 13th of November, in the presence of several ecclesiastical dignitaries. It was also immediately forwarded to the Rev. Robert O'Keefe, who refused to receive it.

Lest the Catholics of Callan should suffer in their spiritual concerns by not knowing the facts just stated, you, reverend brethren, will be pleased to read to the people at one of your Masses on Sunday the decrees herein enclosed, and if necessary you can read this letter. After doing so, it will be well to call on the faithful to pray for the welfare of their recent pastor, imploring of God to give him grace to provide for the salvation of his soul, and humility to reconcile himself with the Church of God.

Exhort the people also to be fervent in prayer, to abound in good works, to approach the sacraments, and to do everything possible to strengthen their faith, to confirm their attachment to their holy religion, and to promote a spirit of obedience to the Catholic Church and to its supreme Head on earth. We are living in times of danger and temptation. God himself is insulted by atheists and other infidels, the foundations of society are undermined by socialists and communists, the doctrines of the Catholic Church and its authority are rejected by heresy and schism, whilst all the enemies of God, carried away by a wild revolutionary spirit, and by the pride of their hearts, endeavour to overthrow the See of Peter, the rock upon which Christ built his Church. It is our duty, when surrounded by so many dangers, to arm ourselves with patience and humility, to protect ourselves against pride, to banish from our hearts the prevailing spirit of insubordination and resistance to legitimate authority, in all things following the example of Jesus Christ, and walking in His footsteps. Let us recollect that if we partake of His suffering we may confidently hope that when His glory shall be revealed we shall be glad with exceeding joy.

Begging of our divine Lord to protect the faithful people of Callan, and imploring of St. Joseph and the Blessed Virgin Mother to obtain every grace for them by their intercession, I conclude by wishing you and them peace and all happiness and every other blessing, through the merits of Jesus Christ.

Your faithful servant,

✠ Paul Card. Cullen,
Sec.

Dublin, 23 November 1871.

DECREE by which the Roman Catholic Parochial Church of the Town of Callan has been subjected to Ecclesiastical Censure of Interdict.

"A TESTIBUS fide dignis relatam nobis est, in ecclesia seu sacello parochiali, cujus possessionem habere dicitur sacerdos Robertus O'Keefe, in oppido Callan et in diocesi Ossoriensi censuras ecclesie violari aut nihil haberi, missam illicitè celebrari, sacramentum eucharistie contra ecclesie disciplinam administrari, confessiones sine jurisdictione, et nulla habita ratione suspensionis ecclesiastice audiri, et alia plura quae leges ecclesiasticas et auctoritatem episcopalem impetunt, quotidie fere patrari. De quibus omnibus cum certiores facti fuerimus, statim constituimus predictam ecclesiam parochialem interdicto subijcere ecclesiastico ad normam juris canonici observando, quod vi hujus decreti et auctoritate nobis a summo Pontifice in causa sacerdotis Roberti O'Keefe collata nunc facimus, atque etiam eandem ecclesiam interdictam declaramus. Præterea fideles omnes monemus et in Domino hortamur ut caste et diligenter hanc interdicti censuram observent ne forte in alias poenas ecclesiasticas incurrant atque omnipotentis Dei qui ecclesiam eam impene contemni non sinit, iram et vindictam in se provocent. Datum Dublini die decimo sexto Decembris an. 1871.

"*Fr. Paulus Cardinalis Callen,*
" &c."

The above Decree was accompanied with the following letter to the parochial clergy of Callan:

WITH this letter I send you a decree by which, acting on the authority of our Holy Father Pius the Ninth, I have placed the Roman Catholic parochial church or chapel of the town of Callan under the ecclesiastical censure of interdict. I was compelled, much against my wish, to have recourse to this severe measure by the information which I had received, that the censures of the Church were freely violated in that church or chapel; that the holy sacrifice of the mass was unlawfully celebrated, the sacraments of the blessed eucharist and penance improperly or invalidly administered, and other things carried on well calculated to undermine ecclesiastical discipline, and to lessen or destroy the respect due to episcopal authority. These reasons are briefly indicated in the enclosed decree, and are sufficient to explain the course I have adopted.

When bringing this matter before the faithful, you will do well to explain to them some of the effects of such an ecclesiastical interdict. I shall mention one or two of them.

In the first place as long as a church remains under interdict, any priest, whether secular or regular, celebrating mass in it, or administering the holy eucharist or other sacraments, grievously transgresses a law of the Church, and becomes irregular.

Secondly. If any of the laity hear mass in such a church, or receive sacraments, they become guilty of a serious offence against ecclesiastical discipline, and are liable to be visited by the Church with severe spiritual penalties.

To these two observations I will add, that absolution given by a suspended priest, whether in an interdicted church or elsewhere, is null and void, except in *articulo mortis*; and that a penitent having made his confession to such a priest, is obliged to confess his sins over again to a priest enjoying jurisdiction from his ordinary; and, moreover, that a priest suspended from his office and deprived of his parish, has no right to assist at any marriage, and that parties giving their consent before him contract a clandestine marriage, of no value in the eyes of the Church, wherever the decree of the Council of Trent on clandestinity has been published.

Before I conclude, I beg of you to point out to the faithful the great evils to which all those expose themselves who resist the Church, and despise its censures. Such persons too often incur the misfortune of losing their faith, of leading a corrupt life, and of ending their career by falling into schism or heresy. Raising themselves up in a spirit of folly against the sacred authority of the Church, and despising the humility of the Cross, they are frequently abandoned to the pride of their hearts, and miserably fall into the abyss. As they hear not the Church, the faithful, looking on them as beasts and publicans, can only pray that God may not inflict His severe punishments upon them, but rather visit them in His mercy and bring them to penance.

"*Fr. Paul Card. Callen,*
" &c."

Dublin, 16 December 1871.

— No. 2. —

(No. 1421—72.—Callan Union.)

LETTER from the Commissioners to the Rev. Robert O'Keefe.

Poor Law Commission Office, Dublin,
17 January 1872.

Reverend Sir,
THE Commissioners for Administering the Laws for Relief of the Poor in Ireland, have to inform you that their attention has been officially directed to the fact that you have been suspended from the performance of certain clerical duties by the Cardinal Archbishop, and a printed copy of the document suspending you therefrom has itself been submitted to the Commissioners for their information.

The Commissioners apprehend that under these circumstances you are not qualified to perform the ordinary duties of a chaplain in the workhouse of Callan Union; and unless you can satisfy them that you are so qualified, they must require your resignation of the office.

By Order, &c.
(signed) B. Banks,
Chief Clerk.

The Rev. Robert O'Keefe,
Roman Catholic Chaplain of the Workhouse,
Callan Union.

— No. 3. —

(No. 1421—72.)

LETTER from the Commissioners to the Board of Guardians of Callan Union.

Poor Law Commission Office, Dublin,
17 January 1872.

Sir,
THE Commissioners for Administering the Laws for Relief of the Poor in Ireland forward, for the information of the Board of Guardians of the Callan Union, the accompanying copy of a letter which they have this day addressed to the Rev. Robert O'Keefe, Roman Catholic chaplain of the workhouse.*

By Order, &c.
(signed) B. Banks,
Chief Clerk.

* No. 2.

The Clerk, Callan Union.

— No. 4. —

(No. 1738—72.)

LETTER from the Rev. Mr. O'Keefe to the Commissioners.

Callan, 18 January 1872.

Gentlemen,
I HAVE received your letter of yesterday. The Cardinal Archbishop of Dublin has no more jurisdiction over me than the Cardinal Archbishop of Vienna; and even if he had, he would have no more power to suspend me without alleging some fault, than I would have to suspend him. If, therefore, you will have the goodness to send me a copy of any communication you have received on this subject, I shall be able to refute at once any assertion, by whomsoever made, that I have been canonically suspended. In the meantime, I send you a pamphlet lately published by me, from which you can get much information regarding the alleged cause of my suspension.

I have, &c.
(signed) Robert O'Keefe, P.P.,
Roman Catholic Chaplain, Callan Union Workhouse.

The Poor Law Commissioners,
Custom House, Dublin.

— No. 6. —

(No. 1738—72.)

LETTER from the Commissioners to the Rev. Robert O'Keefe.

Poor Law Commission Office, Dublin,
24 January 1872.

Reverend Sir,

THE Commissioners for Administering the Laws for Relief of the Poor in Ireland, acknowledge the receipt of your letter of the 15th instant, in reply to their letter of the previous day, stating that their attention has been directed to the fact that you have been suspended from the performance of certain clerical duties by the Cardinal Archbishop, and that unless you can satisfy them that you are qualified to perform such duties, they must require your resignation of the office of Roman Catholic chaplain of the Callan Workhouse, in which you observe that the Cardinal Archbishop has no jurisdiction over you, and that he has no power to suspend you; and you forward, for the information of the Commissioners, a printed paper which you recently published, containing information regarding the alleged case of your suspension.

In reply, the Commissioners have to inform you that they have read the printed paper submitted by you with attention, but it is not for them to judge of the merits of the controversy which has arisen in regard to yourself as parish priest of the parish of Callan.

It is plainly and unmistakably before them that you have been suspended from the ordinary functions of a Roman Catholic priest, and therefore you are no longer, in the opinion of the Commissioners, qualified for the office of Roman Catholic chaplain of the Callan Workhouse.

The Commissioners request, therefore, that you will resign into their hands that office, to which you were appointed by them in their Order of the 5th of March 1863.

By Order,
(signed) *B. Banks*,
Chief Clerk.

The Rev. Robert O'Keefe,
Roman Catholic Chaplain of the Workhouse,
Callan Union.

— No. 6. —

(No. 1738—72.)

LETTER from the Commissioners to the Board of Guardians.

Poor Law Commission Office, Dublin,
24 January 1872.

Sir,

ADVERTING to their letter of the 17th instant, relating to the suspension of the Rev. Robert O'Keefe, Roman Catholic chaplain of the workhouse, from the performance of certain clerical duties by the Cardinal Archbishop, the Commissioners for Administering the Laws for Relief of the Poor in Ireland, forward, for the information of the Board of Guardians of the Callan Union, the accompanying copy of a further letter which they have this day addressed to him on the subject.*

By Order, &c.
(signed) *B. Banks*,
Chief Clerk.

* See No. 5.

The Clerk, Callan Union.

— No. 7. —

(No. 2489—72.)

LETTER from the Rev. Mr. O'Keefe to the Commissioners.

Gentlemen,

Callan, 25 January 1872.

I HAVE been informed that a letter addressed to me, and professing to be a reply to my communication to you of the 18th instant, was read at the workhouse board meeting this day. I cannot believe you capable of treating me intentionally with such a gross want of courtesy, and I, therefore, will consider the communication was put into a wrong envelope by some one in your office, and merely request you will send me a duplicate.

I am, &c.
(signed) *R. O'Keefe, P.P.*,
Roman Catholic Chaplain, Callan Workhouse.

The Poor Law Commissioners,
Dublin.

— No. 8. —

(No. 2420-72.)

LETTER from the Commissioners to the Rev. Mr. O'Keeffe.

Poor Law Commission Office, Dublin,
26 January 1872.

Reverend Sir,

THE Commissioners for Administering the Laws for Relief of the Poor in Ireland, acknowledge the receipt of your letter of yesterday's date, stating that you have been informed that a letter addressed to you in reply to your communication to the Commissioners, dated the 18th instant, was read at the meeting of the Board of Guardians of the Callan Union on the 25th instant, and that you presume that the communication in question was placed through error in the wrong envelope, and accordingly you request to be furnished with a duplicate.

In reply, the Commissioners have to inform you that a letter written to you by direction of the Commissioners on the 24th instant was enclosed in an envelope addressed to you in the usual manner as Roman Catholic chaplain of the workhouse, Callan, and that which appears to have been read at the Board of Guardians on the 25th instant, was a copy sent by the Commissioners to the Board of Guardians for their information.

By Order, &c.
(signed) B. Banks,
Chief Clerk.

The Rev. Robert O'Keeffe,
Roman Catholic Chaplain of the Workhouse,
Callan Union.

— No. 9. —

(No. 2712-72.)

LETTER from the Rev. R. O'Keeffe to the Commissioners.

Gentlemen,

Callan, 27 January 1872.

I HAVE your letter of yesterday's date, and I have also received your former one, dated the 24th instant; this latter was sent by mistake in the post office to Castlehayney instead of Callan. The apparent want of courtesy, therefore, on your part is thus accounted for; and the rule, "*Audi alteram partem*," according to which I have acted in not charging you with guilt before the guilt was proved, is illustrated. I beg of you to impress your minds strongly with the paramount necessity of keeping this rule in view when dealing with the case of a clergyman who has been certified by the Board of Guardians here, in their unanimous resolution on Thursday last, to have done no act, during the nine years that he has been chaplain of the workhouse, unbecoming his sacred calling as a clergyman.

When you informed me that some one alleged that I had been suspended by the Archbishop of Dublin, I immediately informed you that it was utterly impossible that I could be canonically suspended by an ecclesiastic who had no jurisdiction over me, and who, as far as I am aware, charges me with no guilt; and I requested you to send me copies of any documents you had received relating to my case, that I might refute any allegation of my being suspended. You have not thought fit to comply with this request, which was made simply for the purpose of enabling you to act in accordance with the rule above referred to, and to do me the simple justice of hearing my case. As the matter presents itself to my mind at present, I only know that some one sent you a paper professing to be a suspension of me, and that you consider yourselves bound, without any inquiry whatever into the validity of this document, as if it were an utterance of infallibility itself, to deprive me of the chaplaincy of the Callan Workhouse, as if I were a dishonoured and degraded priest. I don't want you to enter into the merits of the quarrel I have had with other ecclesiastics, but I have a right to expect that you will not, at the mere bidding of anyone, stigmatise me as an outcast, and pronounce me unfit to perform my duties to the poor of the Callan Union Workhouse.

The Poor Law Commissioners,
Custom House, Dublin.

I am, &c.
(signed) R. O'Keeffe, P.P.

— No. 10. —

(No. 2712—72.)

LETTER from the Commissioners to the Rev. Robert O'Keeffe.

Poor Law Commission Office, Dublin,
31 January 1872.

Rev. Sir,

THE Commissioners for Administering the Laws for the Relief of the Poor in Ireland, acknowledge the receipt of your letter of the 27th instant, in which you complain that the Commissioners have formed an opinion as to your qualifications for chaplain of a workhouse without first complying with a request for a copy of the document laid before them by which you were alleged to have been suspended.

In reply, the Commissioners have to state that they never doubted, and do not now doubt, that a copy of the document in question had been sent to you at the time of its promulgation.

The document in question, which bears the signature of the Cardinal Archbishop of Dublin, purports to suspend you for reasons therein stated from the exercise of any spiritual function, specifying particularly the administration of Sacraments, the celebration of Mass, the hearing of confession, and preaching the Word of God.

It is the official duty of the Commissioners to provide religious service for Roman Catholic inmates of the workhouse by the appointment of a duly qualified Roman Catholic clergyman as chaplain of the workhouse, and it is impossible for them to continue you under these circumstances in that capacity.

The Commissioners must therefore require your resignation of the office of chaplain of the Callan Workhouse.

By Order, &c.
(signed) B. Banks,
Chief Clerk.

The Rev. Robert O'Keeffe,
Roman Catholic Chaplain of the Workhouse,
Callan.

— No. 11. —

(No. 2757—72.)

EXTRACT from Minutes of Proceedings of the Board of Guardians, at a Meeting held on Thursday, the 25th day of January 1872.

Present.—In the Chair, M. Dwyer, and subsequently M. R. Wald.

Other Guardians.—John Butler, P. Mullally, E. Kickham, Patrick Torpie, Jas. Power.

READ.—Letter from Poor Law Commissioners, 24th January 1872, No. 1738—72, relative to the suspension of the Rev. R. O'Keeffe, Roman Catholic chaplain of the workhouse, from the performance of certain clerical duties by the Cardinal Archbishop, enclosing for the guardians' information a copy of a further letter addressed by them to the chaplain, in reply to a letter received by them from him, in which he states that the Cardinal Archbishop has no power to suspend him, and with which he enclosed a printed paper recently published by him, containing information regarding the alleged case of his suspension. The Commissioners state in their letter to the Rev. Mr. O'Keeffe that they have read the printed paper submitted by him, with attention, and that it is not for them to judge of the merits of the controversy regarding himself as parish priest of the parish of Callan; but that it is plainly and unmistakably before them that he has been suspended from the ordinary functions of a Roman Catholic priest, and that he is therefore no longer in their opinion qualified for the office of Roman Catholic chaplain of the workhouse; and request the resignation into their hands of that office, to which they appointed him on the 5th of March 1863.

Proposed by Michael Dwyer, Seconded by Patrick Torpie:—

Resolved,—That the Rev. R. O'Keeffe, for the past nine years Roman Catholic chaplain of this workhouse, is entitled to our fullest confidence as having always discharged his duty to our satisfaction; that we regret very much the misunderstanding that exists between him and other ecclesiastics, but feel it our duty to keep clear of this controversy, and content ourselves with the expression of our opinion that we have never known our chaplain to fail in the performance of his duty, or to act in any manner unbecoming a clergyman.

Passed unanimously.

— No. 12. —

(No. 2712—72.)

LETTER from the Commissioners to the Board of Guardians.

Poor Law Commission Office, Dublin,
31 January 1872.

Sir,

THE Commissioners for Administering the Laws for Relief of the Poor in Ireland, acknowledge the receipt of the Minutes of Proceedings of the Board of Guardians of the Callan Union, on the 23rd instant, containing a resolution referring to the Commissioners' letter, of the 24th instant, relating to the suspension of the Rev. R. O'Keeffe, Roman Catholic chaplain of the workhouse, from the performance of certain clerical duties.

The Commissioners enclose, for the information of the Guardians, the accompanying copy of a further letter which they have this day addressed to the Rev. Mr. O'Keeffe on the subject.*

The Commissioners have at the same time to state that they concur with the Guardians in their desire not to enter into or take any part in this unfortunate controversy, but they have felt that they had no alternative but to regard the suspension of the Rev. Mr. O'Keeffe as proceeding from authority, and to give effect to its consequences as regards the chaplaincy of the workhouse.

By Order, &c.
(signed) *B. Bonds*,
Chief Clerk.

The Clerk, Callan Union.

— No. 13. —

(No. 3174—72.)

LETTER from the Rev. R. O'Keeffe to the Commissioners.

Gentlemen,

Callan, 1 February 1872.

I HAVE received your letter of yesterday's date, in which you inform me that you have never doubted that a copy of Dr. Callan's document, professing to be a suspension of me, has been sent me; yet I can assure you most positively that what you have considered certain is absolutely untrue. No doubt it must be difficult for you to believe that anyone claiming the right to sit in judgment on another, and to pronounce sentence upon him, would be capable of pronouncing this sentence behind the back of the accused, and cautiously withholding the judgment from him; yet this has been done in my case, and I assure you, without fear of contradiction, that I had never seen a copy of the document in question, nor known its existence, till a shoemaker of this town brought it to me on the 26th November last, after he had indignantly torn it down from the door of the Friary Chapel here; and I can further assure you, without fear of contradiction also, that the citation said in the document to have been sent me has never reached me. You that are accustomed to the courts and the laws of this free country, must find it difficult to believe these facts, but you little know with what absolute sway an ecclesiastical despot, brought up in a foreign country, and claiming to be above the laws of his own, can affect to rule. You have been dazzled with the glare of the scarlet robes, and your disordered vision has transferred the black colour of the cloth of my order to my very soul. At the bidding of a man who had no right whatever to sit in judgment upon me, you take it upon yourselves to enforce a sentence uttered in the dark, and hidden from the accused. I told you before, and I repeat it now, that "by the canon law of the Roman Catholic Church in Ireland, a parish priest does not forfeit his rights, or his fitness to discharge the functions of his office, until he is condemned by a tribunal of competent jurisdiction as guilty of some gross impropriety, on the testimony of at least two witnesses, and denounced by proper authority publicly to his people, as having lost his jurisdiction over them," and I challenge contradiction to my assertion. I have never been tried, and I have never been justly condemned. I know you have acted in this matter through what you consider a sense of public duty; but I will ask you to reflect seriously on the grave responsibility you take upon yourselves of executing the sentence of a judge who has no right to sit in judgment, and who pronounces sentence in the dark.

I have, &c.
(signed) *R. O'Keeffe*.

The Poor Law Commissioners,
Custom House, Dublin.

— No. 14. —

(No. 3174—72.)

LETTER from the Commissioners to the Rev. R. O'Keeffe.

Reverend Sir,

Poor Law Commission Office, Dublin,

7 February 1872.

THE Commissioners for Administering the Laws for Relief of the Poor in Ireland have received your letter of the 1st instant relating to the document by which you have been suspended from the exercise of the functions of a Roman Catholic priest.

Your remarks upon the controversy which has unfortunately arisen regarding your case, do not alter in any degree the view which the Commissioners have felt bound to take of your present position, nor do they see any reason to doubt that your suspension has proceeded from competent authority.

The Commissioners infer at the same time, from your letter, that you are not prepared to resign, as requested by them, the chaplaincy of the workhouse of Callan Union, and they have, therefore, removed you from that office by an order, of which a copy is enclosed.

By Order, &c.

(signed) B. Bantz, Chief Clerk.

The Rev. Robert O'Keeffe, Callan.

— No. 15. —

(No. 3174—72.)

Removal of Chaplain.

COPY Order removing the Rev. Robert O'Keeffe, from the office of Roman Catholic Chaplain of the Workhouse of Callan Union.

CALLAN UNION.

To the Rev. Robert O'Keeffe; to the Guardians of the Poor of the Callan Union, and to all Persons whom it may concern:

WHEREAS, by an Order under Seal bearing date the 5th day of March 1863, we, the Commissioners for Administering the Laws for Relief of the Poor in Ireland, in pursuance of the provisions of an Act passed in the second year of the reign of Her present Majesty, Queen Victoria, intitled "An Act for the more Effectual Relief of the Destitute Poor in Ireland," did appoint the Rev. Robert O'Keeffe, being a clergyman of the Roman Catholic Church, to be a chaplain of the workhouse of the Callan Union:

And whereas we deem it necessary to remove the said Rev. Robert O'Keeffe from the office of chaplain of the said workhouse, as being no longer fit to perform the duties of that office:

Now therefore, in exercise of the powers vested in us in this behalf, we do hereby remove the said Rev. Robert O'Keeffe from the office of chaplain of the workhouse of the Callan Union.

Sealed with our seal, this seventh day of February, in the Year of our Lord One thousand eight hundred and seventy-two.

(signed)

A. Power.

J. McDowell.

R. M. Bellis.

— No. 16. —

(No. 3174—72.)

LETTER from the Commissioners to the Board of Guardians.

Poor Law Commission Office, Dublin,

7 February 1872.

Sir,

ADVERTING to previous correspondence on the subject of the suspension of the Rev. Robert O'Keeffe from the performance of certain clerical functions as a Roman Catholic priest, the Commissioners for Administering the Laws for Relief of the Poor

in Ireland, forward, for the information of the Board of Guardians of the Callan Union, the accompanying copy of a further letter which they have this day addressed to Mr. O'Keeffe on the subject, and a copy of the order which accompanied that letter. (Nos. 14 and 15.)

The Clerk, Callan Union.

By Order, &c.
(signed) *B. Baskin*, Chief Clerk.

— No. 17. —

(No. 3979—79.)

EXTRACT from Minutes of Proceedings of the Board of Guardians, at a Meeting held on Thursday the 8th February 1872.

Present, in the Chair:—John Butler, Esq.

Other Guardians:—Mr. Dwyer, James Power, James Shirley, P. Torpie.

Proposed by Patrick Torpie; seconded by Michael Dwyer:—

RESOLVED by the Board that our clerk be directed to summon a full Board for the 22nd instant, in order to take into consideration the letter of the Commissioners received this day, with reference to the Roman Catholic chaplaincy of the workhouse.

Upon a division, this resolution was declared lost by a majority of three votes to two.

— No. 18. —

(No. 3938—72.)

LETTER from the Rev. Mr. O'Keeffe to the Commissioners.

Gentlemen,

Callan, 9 February 1872.

I THINK your dismissal of me has been wrongful, and I have appealed to Lord Spencer and Lord Hartington, by an identical letter, sending each a copy of our correspondence, in the belief that these noblemen have power to review your sealed order of dismissal. I beg you will inform me whether, pending this appeal, you will think it necessary to make another appointment of chaplain of the Callan Workhouse.

The Poor Law Commissioners,
Dublin.

I am, &c.
(signed) *R. O'Keeffe, p.p.*

— No. 19. —

(No. 3938—72.)

LETTER from the Commissioners to the Rev. Robert O'Keeffe.

Poor Law Commission Office, Dublin,
13 February 1872.

Reverend Sir,

THE Commissioners for Administering the Laws for Relief of the Poor in Ireland, acknowledge the receipt of your letter of the 3rd instant, relating to the vacant office of Roman Catholic chaplain of the workhouse of the Callan Union, and inquiring whether the Commissioners will consider it necessary to make another appointment pending an appeal which you have made to his Excellency the Lord Lieutenant and the Marquis of Hartington to review the order of the Commissioners dismissing you from that office.

In reply, the Commissioners have to state that they cannot forego the discharge of the duty devolving on them by the 48th section of the Irish Poor Relief Act, to provide the Roman Catholic inmates of Callan Workhouse with the services of a duly qualified chaplain.

The Rev. Robert O'Keeffe,
Callan.

By Order, &c.
(signed) *B. Baskin*, Chief Clerk.

— No. 20. —

(No. 4125—72.)

COPY Letter from the Rev. Mr. O'Keefe to His Excellency the Lord Lieutenant and the Chief Secretary, referred to the Poor Law Commissioners.

My Lords,

8 February 1872.

I APPEAL to your Lordships from the injustice that I consider has been done me by the Poor Law Commissioners in dismissing me without cause from the office of the Roman Catholic chaplain of the Callan Workhouse. I send each of your Lordships with this identical letter a copy of the correspondence which has passed between the Commissioners and me, and I am prepared to give you any further information you may require.

I have, &c.

(signed) Robert O'Keefe, P.P.,
Callan.

To His Excellency Lord Spencer,
and the Right Honourable Lord Hartington.

— No. 21. —

(No. 4125—72.)

LETTER from the Commissioners to the Under Secretary of the Lord Lieutenant.

Poor Law Commission Office, Dublin,

13 February 1872.

Sir,

THE Commissioners for Administering the Laws for Relief of the Poor in Ireland, have the honour to return herewith the letter addressed to his Excellency the Lord Lieutenant and the Marquis of Hartington by the Reverend Robert O'Keefe, of Callan, forwarding a copy of the correspondence which has recently taken place between himself and the Commissioners in regard to his qualification for the office of Roman Catholic chaplain of the workhouse of the Callan Union, and his subsequent dismissal from that office, he having been suspended from the performance of certain clerical functions by his Eminence the Cardinal Archbishop.

The Commissioners have to state that Mr. O'Keefe has requested them to postpone the appointment of his successor until after the receipt of an answer to his appeal to his Excellency the Lord Lieutenant.

The Commissioners are at present making inquiries in reference to the proper selection of a Roman Catholic clergyman as successor to Mr. O'Keefe in the chaplaincy.

By Order, &c.

(signed) B. Banks,
Chief Clerk.

To T. H. Burke, Esq.,
&c. &c. &c.
Dublin Castle.

— No. 22. —

LETTER from the Reverend Robert O'Keefe to the Local Government Board.

Sir,

Callan, 19 April 1876.

It is now four years since I was removed by your Board from the office of chaplain of the Callan Union Workhouse, on the assumption that I had become unfit to discharge the duties of the office by reason of my having been subjected to canonical censure by the Cardinal Archbishop of Dublin. I informed you at the time that this ecclesiastical censure possessed no jurisdiction whatever over me, and that even if he were competent to sit in judgment on me, he could not act in that capacity without some charge of guilt being alleged against me. I told you I had never been tried on any charge, and never been justly condemned. I have lately had a correspondence with this same Cardinal, through the Right Rev. Bishop Lynch, of Carlow, from which it is apparent that no valid ecclesiastical censure has been ever passed on me; and that I was most improperly represented to your Board as a suspended priest. I send you a copy of this correspondence, that you may see how unjustly I have been treated by my removal from my chaplaincy, without any evidence whatever of my unfitness for the office, or any proof that I had become a canonically suspended priest. I also send you, from a judgment of the Lord Chief Justice, delivered in the Queen's Bench in March last year, that portion of it which relates to my dismissal by your Board from the chaplaincy, and which shows clearly how

illegal, as well as unjust, the action of your Board has been in my case. In the light of all this information I ask your Board to consider again the proceeding that has been adopted in my case, with a view to correct what may be found erroneous in it, and to repair the injury it has inflicted upon me.

The Secretary, Local Government
Board.

I remain, &c.
(signed) Robert O'Keeffe, P.P.

Enclosure 1, in No. 22.

COPY OF CORRESPONDENCE between the Rev. Robert O'Keeffe and Bishop Lynch.

Father O'Keeffe to Bishop Lynch.

My Lord Bishop, Callan, 12 March 1876.
I beg for the love of Jesus Christ, crucified for our sins, that you will ask Cardinal Cullen to spare my life. To put me out of life now is to send me into a miserable eternity; as I find it impossible to reconcile myself to a forced departure, I say no more but crave mercy.

Your Lordship's most faithful Servant,
The Right Reverend Dr. Lynch. (signed) R. O'Keeffe.

Rev. dear Sir, Tallow, 15 March 1876.
I NEED hardly say that before any correspondence can be entered into with you, it is your duty to do penance for the threats of murder you have uttered.

I remain, &c.
The Rev. R. O'Keeffe. (signed) + J. Lynch.

My dear Lord, Callan, 16 March 1876.
YOUR favour of yesterday's date gives me hope for my salvation. I am in your hands; and I will do anything in the world that I can do to satisfy you that I seek nothing but to live in peace and charity with all men, and endeavour to accomplish the will of God.

I have never uttered a threat of murder; and every adverse counsel at the late Kilkenny assizes declined to put me the question, knowing that I would on oath give it a negative answer. I have publicly and privately called Cardinal Cullen a murderer. This I am ready to apologise for and to say that I firmly believe his Eminence considered he was consulting for the interest of our holy religion in his treatment of me.

I am, &c.
The Right Rev. Dr. Lynch. (signed) R. O'Keeffe.

Rev. dear Sir, Tallow, 23 March 1876.
AS you say in your letter of the 16th that you will do anything in the world that you can do to satisfy me that you seek nothing but to live in peace and charity with all men, and endeavour to accomplish the will of God, I would advise you to make a retreat of some time in a house of some of the religious orders where retreats are given, and to follow the direction you will get, while God in his mercy still spares you and calls you to repentance.

Yours, &c.
The Rev. R. O'Keeffe. (signed) + J. Lynch.

My dear Lord, Callan, 24 March 1876.
I SHALL be happy to follow the advice you give me in your favour of yesterday's date, and to place myself under the instruction and guidance of Dr. O'Reilly of Milltown Park, whom I shall ask after some interviews with him to write about me to your Lordship. It will be necessary for your Lordship to give me a line to him that I may be received into the house for a retreat.

So late as the 7th of this month I swore solemnly in the Kilkenny Courthouse, after having done the same thing many times before, that I have never been a canonically suspended priest, and that I have been subjected to a persecution which I believed was never before paralleled. Your Lordship will please understand, therefore, that my going into retreat is no admission of guilt before men. I am ready to go before my lawful judge

judge and meet any charges of guilt that may be brought against me; but I do and always will hold it to be a cruel tyranny to fasten upon anyone the imputation of crime without allowing him any opportunity of explanation or defence.

The Right Rev. Dr. Lynch.

I have, &c.
(signed) R. O'Keeffe.

My dear Lord,

Callan, 3 April 1876.

LOADED with debt, oppressed by poverty and broken down in body and mind, I would earnestly desire to die if I could depart in peace; but I cannot, and I am distracted at the thought of being forced into the presence of eternity in a troubled mind. For the love of Jesus I again entreat mercy.

If I have said anything wrong in my letter of the 24th, to which I have received no answer, let that sin be added to the rest and the account settled with a merciful God before eternity opens.

The Right Rev. Dr. Lynch.

I have, &c.
(signed) R. O'Keeffe.

My dear Lord,

Callan, 7 April 1876.

I WILL not have you answer, and say, trouble me not; but, because of my impotency, you must rise and give me what I need. Painful it is to me to ask life from a fellow-creature, but God, for his own wise purposes, has allowed that creature to assume power over it; and I believe it to be the Divine will that I should ask, and never cease asking, until I receive.

My soul belongs to Jesus; I will save it for my loving Redeemer.

The Right Rev. Dr. Lynch.

I have, &c.
(signed) R. O'Keeffe.

Reverend dear Sir,

Tullow, 7 April 1876.

If you be truly penitent, you know God will not refuse you pardon of your sins; neither will your Bishop reject fair terms of reconciliation. As a proof of your sincerity, I think the first step would be to give up possession of the parochial house. You might give the keys to your Bishop, or, if you prefer it, I would go to Callan to receive them. Should you act thus, from what I know of your Bishop, I am sure he would be considerate and kind towards you.

The Rev. R. O'Keeffe.

Yours faithfully,
(signed) + J. Lynch.

My dear Lord,

Callan, 8 April 1876.

I AM very willing to confess the sins of which I am conscious, but I never will confess crimes that I have not committed. I have been deprived of everything that I possessed, and reduced to utter destitution, on the plea that I have openly violated ecclesiastical censure, and yet I have repeatedly errors that no canonical censure has been ever passed on me. Is it not diabolical tyranny to force me to the confession of guilt by withholding from me, until I make it, all food and raiment? What right has anyone claiming to be a judge over me to find me guilty without my knowledge, and then to require me to acknowledge the justice of my sentence? I am willing to be judged, and, if proved guilty of crime, to accept judgment in its most penal form. I will, moreover, accept you for my judge, if you will undertake to hear and adjudicate in the case.

The interests of religion, I think, require that the case should be heard in public, and I therefore propose to have you sit in the prayer-hall of Maynooth College on Easter Monday, with the two senior professors as your assessors, to decide whether I have violated canonical censure or not. I shall meet then and there Dr. McDonald, or any other adversary Cardinal Cullen may pit against me.

The Right Rev. Dr. Lynch.

I have, &c.
(signed) R. O'Keeffe.

My dear Lord,

Callan, Good Friday, 1876.

JESUS from his cross this day requires me again to entreat your Lordship to ask Cardinal Cullen to spare my life; it is a painful duty, and is done only for the sake of Jesus.

The Right Reverend Dr. Lynch.

I have, &c.
(signed) R. O'Keeffe.

Enclosure 2, in No. 22.

EXTRACT from JUDGMENT of the Chief Justice of the Court of Queen's Bench.

O'Keefe v. Callan.

EXTRACT from the Judgment of the Lord Chief Justice (on the New Trial Motion),
February 1875.

In the plaint, special damage is averred that in consequence of the committing of the grievances the plaintiff was dismissed from his office of Roman Catholic Chaplain of the Callan Union Workhouse by the Commissioners for Administering the Laws for the Relief of the Poor in Ireland, and thereby was deprived of the profits and emoluments of said office.

The following question was put to the Cardinal:—

"Was it with your Eminence's authority that a communication was made to the Poor Law Commissioners communicating the fact of the suspension?"

Answer.—"I spoke to Dr. McDonald about the matter, and told him that the rule was that a suspended priest could not occupy the office of chaplain to a workhouse or of patron to a school; I told him to communicate to the officers of the Board of Poor Law Commissioners that a suspended priest could not be a chaplain to a workhouse."

In point of fact, the plaintiff had been appointed chaplain of the Callan Poor Law Union in 1863, and had discharged his duty for nine years to the satisfaction of the local board of guardians, as they certified. No complaint of any kind was laid before the Poor Law Board from the local authorities, lay or clerical, against Mr. O'Keefe.

We have the narrative of occurrences which attended the dismissal of plaintiff in writing proved at the trial, and it is eminently deserving the notice of the Government of this country.

On the 17th January 1872, the Poor Law Commissioners thus address the plaintiff:—

"Rev. Sir,

"The Commissioners for Administering the Laws for Relief of the Poor in Ireland, have to inform you that their attention has been officially directed to the fact that you have been suspended from the performance of certain clerical duties by the Cardinal Archbishop; and a printed copy of the document suspending you therefrom has itself been submitted to the Commissioners for their information. The Commissioners apprehend that under these circumstances you are not qualified to perform the ordinary duties of a chaplain in the workhouse of Callan Union, and unless you can satisfy them that you are so qualified they must require your resignation of the office.

"By Order, &c.
(signed) *B. Banks,*
"Chief Clerk."

The fact here referred to was that the same ever vigilant Dr. McDonald had waited upon the Commissioners, being deputed by the Cardinal, and had delivered to them copies of the suspension and interdiction issued by the Cardinal, and I have no doubt he informed them of the truth of the whole matter. He was not called as a witness. The Board were prompt in obeying the Cardinal; the expression, "Unless you can satisfy them that you are so qualified" appeared reasonable and demanded a reply. Accordingly on the 18th of January, Father O'Keefe replies:—

"Gentlemen,

"I have received your letter of yesterday. The Cardinal Archbishop of Dublin has no more jurisdiction over me than the Cardinal Archbishop of Vienna, and even if he had he would have no more power to suspend me without alleging some fault than I would have to suspend him. If, therefore, you will have the goodness to send me a copy of any communication you have received on this subject, I shall be able to refute at once any assertion, by whomsoever made, that I have been canonically suspended. In the meantime, I send you a pamphlet lately published by me, from which you can get much information regarding the alleged cause of my suspension.

"I have, &c.
(signed) *Robert O'Keefe, F.P.,*
"R. C. Chaplain, Callan U.W."

To this the Commissioners, who would not be convinced, answer 24th January :—

"It is plainly and unmistakeably before them that you have been suspended from the ordinary functions of a Roman Catholic priest, and, therefore, you are no longer, in the opinion of the Commissioners, qualified for the office of chaplain of the Callan Workhouse. The Commissioners request, therefore, that you will resign into their hands that office, to which you were appointed by them in their order of the 5th of March 1863.

"By Order, &c.
(signed) "B. Banks,
"Chief Clerk."

Letters then intervene from the Board of Local Guardians protesting against the conduct of the Board, and from the Dublin Board overruling, as of course, the local officials. The plaintiff is determined the Commissioners shall understand the question, and accordingly on the 27th, writes:—

"Gentlemen,

"Callan, 27 January 1872.

"I have your letter of yesterday's date, and I have also received your former one, dated the 24th instant. It was sent by mistake in the post office to Castleblaney instead of Callan. The apparent want of courtesy, therefore, on your part is thus accounted for, and the value of the rule *audi alteram partem*, according to which I have acted in not charging you with guilt before the guilt was proved, is illustrated. I beg of you to impress your minds strongly with the paramount necessity of keeping this rule in view when dealing with the case of a clergyman who has been certified by the Board of Guardians here, in their unanimous resolution on yesterday, to have done no act during the nine years that he has been chaplain, unbecoming his sacred calling as a clergyman. When you informed me that some one alleged that I had been suspended by the Archbishop of Dublin, I immediately informed you that it was utterly impossible that I could be canonically suspended by an ecclesiastic who had no jurisdiction over me; and who, as far as I am aware, charges me with no guilt, and I requested you to send me copies of any documents you had received relating to my case that I might refute any allegation of my being suspended; you have not thought fit to comply with this request, which was made simply for the purpose of enabling you to act in accordance with the rule above referred to, and to do me the simple justice of hearing my case. As the matter presents itself to my mind at present, I only know that some one sent you a paper professing to be a suspension of me, and that you consider yourself bound, without any inquiry whatever into the validity of this document, as if it were an utterance of infallibility itself, to deprive me of the chaplaincy of the Callan Union Workhouse as if I were a dishonoured and degraded priest. I don't want you to enter into the merits of the quarrel I have had with other ecclesiastics; but I have a right to expect that you will not, at the mere bidding of anyone, stigmatize me as an outcast, and pronounce me unfit to perform my duties to the poor of the Callan Union Workhouse.

"I am, &c.
(signed) "R. O'Keeffe, P.P."

A copy of the document on which the Board acted is asked for by the accused. Listen to the inexorable officials:—

"In reply, the Commissioners have to state that they never doubted, and do not now doubt, that a copy of the document in question had been sent to you at the time of its promulgation. The document in question, which bears the signature of the Cardinal Archbishop of Dublin, purports to suspend you, for reasons therein stated, from the exercise of any spiritual functions; specifying particularly the administration of Sacraments, the celebration of Mass, the hearing of confessions, and preaching the Word of God."

The plaintiff reiterates his objection, no jurisdiction over him, a priest in another diocese, no citation, no canonical offence; and concludes, "I know you have acted in this matter through what you consider a sense of public duty, but I will ask you to reflect seriously on the grave responsibility you take upon yourself of executing the sentence of a judge who has no right to sit in judgment, and who pronounces his sentence in the dark."

The Board see not, hear not, will have no argument, no cavils, but reply 7th February, "Your remarks upon the controversy which has unfortunately arisen regarding your case, do not alter in any degree the view which the Commissioners have felt bound to take of your present position; nor do they see any reason to doubt that your suspension has proceeded from competent authority;" and the same day send their sealed order reciting, "And whereas we deem it necessary to remove the said Rev. Robert O'Keeffe from the office of chaplain of the said workhouse, as being no longer fit to perform the duties of that office: Now, therefore, in exercise of the powers vested in us in this behalf, we do hereby remove the said Rev. R. O'Keeffe from the office of Chaplain of the Workhouse of the Callan Union."

For all these unlawful proceedings the defendant admitted his responsibility. We have to consider their effect.

The narrative of plaintiff's dismissal by the Poor Law Board, and for the reasons assigned in the remarkable correspondence just read, suggests very serious consideration. This Board is but a ministerial body. Its members possess no judicial authority, but as officials paid by the State for superintending the administration of the poor law, they are bound to exercise their ministerial authority with a due regard to the rights of individuals, and an implicit respect for the law of the land. In my opinion they have violated both. By the exercise of arbitrary powers they have dismissed a chaplain who had been nine years in his office without complaint against him, without hearing or seeing him, or listening to his defence. This assuredly was not the conduct that would be expected from such a body, and it was not judicial. But touching the law, how stands the case? They knew and were warned repeatedly that Father O'Keefe was a priest in the diocese of Ossory, and corresponded with him as such. No complaint was lodged against him by his own bishop, and the local guardians testified to his attention to the duties of chaplain. For what reason was the plaintiff dismissed, notwithstanding his remonstrance and warnings? The Commissioners have assigned it in these words:—"The document in question, which bears the signature of the Cardinal Archbishop of Dublin, purports to suspend you for the reasons therein stated from the exercise of any spiritual functions." How did the Cardinal Archbishop get authority to suspend the plaintiff, a priest in another diocese? By the Papal Rescript, which, with the other documents, was, I have no doubt, delivered to the Board, and explained by the Cardinal's messenger, Doctor McDonald. Under these circumstances the members of this Board, assuming an authority they did not possess, pronounced their judgment without doubt or inquiry. "It is plainly and unmistakably before them that you have been suspended from the ordinary functions of a Roman Catholic priest." It follows "plainly and unmistakably" that every chaplain in Ireland may be thus dismissed. The Cardinal in Rome sends a rescript to the Cardinal in Dublin; the latter sends the rescript and decision thereon to the Poor Law Board, and the Board enforces the illegal sentence in any part of Ireland. The next step may be for the Propaganda to send their sealed order, not through a delegate, but to the Board itself, and the Board may execute it by their sealed order. Again, did this Board mean to decide that the Statute of Elizabeth was repealed? If so, the Poor Law Board and the Queen's Bench differ. If they considered that statute, as amended by the Act of the Queen, was in force, did they intend openly to violate its provisions? Did they understand that to disobey a statute which enacts no pecuniary penalty is indictable, and did they comprehend that to enforce and execute a Papal Bull asserting jurisdiction, would be doing exactly what the statute prohibits? They acted rashly. Had they consulted their junior counsel and placed in his hands the documents given them by defendant's messenger, and their own correspondence with plaintiff, he would have advised them to pause ere they obeyed the mandate of the Cardinal; he would have pointed out that here there was no judgment from episcopal authority against the plaintiff; but a sentence under foreign jurisdiction to enforce which would, by the statute-law be unlawful. He would have added that, as plaintiff in his letters to the Board, disclaimed the Cardinal's jurisdiction, and announced he would resist his usurpation, the whole case would be speedily (as it was immediately after) in the law courts; and that, therefore, the becoming course for the Board was to hold back their hand till the law was expounded by its constitutional expositors, which they are not. The Poor Law Commissioners took no such prudent course, and the precedent they have set is fraught with mischief to individuals and danger to the State.

The Cardinal has obtained obedience to the rescript from a pliant body of commissioners, and all chaplains in Ireland, though appointed by the State, and paid by moneys provided by the same, hold those places at his pleasure, irrespective of all local and diocesan authority. I say, therefore, the sovereign power in such cases, in the teeth of the law, is lodged not in the Queen or in those whom she may appoint, but in the Pope. It is true here only a cleric, a parish priest, is attacked and ruined; but the next step may be against a Catholic layman, perhaps a freemason. The Canadian case proves this may be so, and it is the Statute of Elizabeth which protects equally the layman and the cleric against the enforcement of a Papal Bull levelled at either.

I think the precedent set by the Poor Law Board in this case is fraught with mischief, and for these reasons I have given my opinion against it.

The Poor Law Commissioners were quick and despotic in their action against the parish priest of Calkin. I trust if any complaint be lodged against them for their conduct in this transaction, the Government of the country will give them a patient hearing, accepting and examining carefully all that can be urged on their behalf, and that no judgment will be pronounced against them on the principal of the sentence *ex informata conscientia*, but on the just principles of British law; sitting here I recognise no difference between Poor Law Commissioners and parish priests, and consider they are alike entitled to justice. I was and am of opinion that as the unjust dismissal of plaintiff from his chaplaincy was effected by the acts of the defendant, damages ought to have been given by the jury to compensate the plaintiff for the pecuniary losses he sustained by that dismissal. The principle involved, however, in the dismissal far transcends the question of damages.

— No. 23. —

LETTER from the Local Government Board to the Rev. *Robert O'Keeffe*.

Rev. Sir,
I AM directed by the Local Government Board for Ireland to acknowledge the receipt of your letter of the 19th instant, and of the documents which accompanied it.

Local Government Board, Dublin,
22 April 1876.
By Order of the Board,
(signed) *B. Banks*,
Secretary.

The Rev. Robert O'Keeffe, Callan.

— No. 24. —

LETTER from the Rev. *Robert O'Keeffe* to the Local Government Board.

Sir,
I AM in receipt of your letter of yesterday's date (No. 8550—76), acknowledging the receipt by your Board of mine of the 19th instant, with the documents sent therewith; and I am now to request you will have the goodness to inform me whether these communications have been, or will be, taken into consideration by your Board.

I am, &c.
(signed) *Robert O'Keeffe, P.P.*
The Secretary,
Local Government Board, Dublin.

— No. 25. —

LETTER from the Local Government Board to the Rev. *Robert O'Keeffe*.

Rev. Sir,
I AM directed by the Local Government Board for Ireland to acknowledge the receipt of your letter of the 23rd instant, inquiring whether your letter of the 19th instant, and its enclosures, have been, or will be, taken into consideration by this Board; and, in reply, I am to acquaint you that the communications referred to have been attentively read and considered by the Local Government Board.

Local Government Board, Dublin,
25 April 1876.
By Order of the Board,
(signed) *B. Banks*,
Secretary.

The Rev. Robert O'Keeffe, Callan.

— No. 26. —

LETTER from the Rev. *Robert O'Keeffe* to the Local Government Board.

Sir,
SUPPLEMENTARY to my letter of the 19th instant, I send you a copy of a letter I have since addressed to Bishop Lynch, for the information of Cardinal Cullen, at whose instance I have been removed from my chaplaincy, and I request it will be taken into consideration by your Board in connection with the other letters of the correspondence already sent you.

I am, &c.
(signed) *Robert O'Keeffe, P.P.*

The Secretary, Local Government Board.

Enclosure in No. 26.

My dear Lord,
I AGAIN implore of you, with all the earnestness of my soul, and all the sacredness of the holy name of Jesus, to have my life spared for the necessarily short time that now remains for me till nature claims her debt.

419.

D

I will

Callan, 24 April 1876.

I will do anything in the world that I can do at your desire in order to have my life spared. I will very willingly go through the ceremony of handing you keys in any manner or form that may be required; but I cannot give you the keys which you have asked for in your last letter, dated the 8th instant, because I have them not. The keys of my entrance-gates have been in the possession of the ruffians who were employed to break through those gates ten months ago, and who have since kept forcible possession of them; and the door of my roofless house has not been once closed all this time by night or by day. The house is in the possession of the police, and I never leave it except in the company of two of them. I spend much more than half my time in bed, an armed policeman sitting at the bed-room door all the time, and I have not been outside my entrance gates three times a week since June last.

I tell you again I will do anything that I can do in order to be allowed to live and save my soul. And I pray our good God to make you the instrument of my deliverance from suffering here and hereafter.

The Right Rev. Dr. Lynch.

I have, &c.
(signed) Robert O'Keeffe, P.P.

— No. 27. —

LETTER from the Rev. Robert O'Keeffe to the Local Government Board.

Sir,

Callan, 26 April 1876.

SINCE writing the letter of the 24th instant to Bishop Lynch, of which I sent you a copy, I have added the following postscript:—

P. S.—Bishop Moran has brought from Rome 14 medall for the men who were imprisoned for the wrecking of my house; and it has been publicly announced that he will officiate in my church next Sunday, in order to publish a papal benediction on all the wreckers, and to distribute the medall to the 14 sufferers. It will be my duty publicly to protest against this profanation of my church, and to do all I can to prevent it.

The Secretary,
Local Government Board.

I am, &c.
(signed) Robert O'Keeffe, P.P.

— No. 28. —

LETTER from the Rev. Robert O'Keeffe to the Local Government Board.

Sir,

Callan, 1 May 1876.

I FORWARD to you for the further consideration of your Board, a copy of another letter which I have sent to Cardinal Cullen through Bishop Lynch of Carlow, relating to the alleged cause of my dismissal from the chaplaincy of the Callan Union Workhouse.

The Secretary,
Local Government Board.

I am, &c.
(signed) Robert O'Keeffe, P.P.

Enclosure in No. 28.

My dear Lord,

Callan, 1 May 1876.

I ASK you again for the love of Jesus to intercede for me with Cardinal Cullen; I am in a frightful state of poverty and suffering; and it is utterly impossible for me to live much longer, if all my income continue to be withheld from me by order of Cardinal Cullen and the Poor Law Commissioners. By their joint action against me they are depriving me of life as effectually as if they stood in my presence and prevented me by force from taking the food which life requires. It is all the same to me whether these people be conscious or not of the dreadful injustice they are doing me, while I feel their hand heavy upon me; and it even aggravates my pain to know that my cries for mercy are heard only as the wailings of a criminal who has brought himself by his own acts to misery and disgrace. In the name of the eternal God, who will one day judge us all, let me know whether there is anything which I have done that I can undo, or anything to be done which I can do in order to be allowed to live while that good God is willing to leave me on earth and give me further time to prepare for his judgment, that will certainly visit me with ample punishment for the offence I have given Cardinal Cullen and the Commissioners of Poor Laws; as of that offence I have sworn in a court of justice I shall die impenitent.

The Right Rev. Dr. Lynch.

I have, &c.
(signed) R. O'Keeffe.

REPORTS ROBERT O'NEILL.

COPIES of Correspondence between the Local Government Board in Ireland and the Revueur *Robert O'Neill*, relating to the Demand of Mr. O'Neill from the Government of the Gallic Union of Nations.

(Mr. O'Neill.)

Revised, by the House of Commons, to be Printed,
in August 1891.
